

# COMMITTEE REPORT

## MADAM PRESIDENT:

The Senate Committee on Judiciary, to which was referred Senate Bill No. 366, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

- 1       Page 4, line 39, delete "After" and insert "**Except as provided in**
- 2       **subsection (b), after**".
- 3       Page 4, line 40, reset in roman "may".
- 4       Page 4, line 40, delete "shall".
- 5       Page 5, between lines 5 and 6, begin a new paragraph and insert:
- 6       **"(b) If the judgment debtor has failed to comply with an agreed**
- 7       **order in the action, after a hearing of which the judgment debtor**
- 8       **has been notified, the court shall order:**
- 9       **(1) any property, income, or profits of the judgment debtor**
- 10       **not exempt from execution or process, in the hands either of**
- 11       **the judgment debtor or of any other person; or**
- 12       **(2) any debt due to the judgment debtor;**
- 13       **to be applied to the satisfaction of the judgment and forbid**
- 14       **transfers of property and choses in action."**
- 15       Page 5, line 6, strike "(b)" and insert "**(c)**".
- 16       Page 5, line 16, strike "(c)" and insert "**(d)**".
- 17       Page 5, line 27, strike "(d)" and insert "**(e)**".
- 18       Page 5, line 28, strike "(c)," and insert "**(d),**".
- 19       Page 5, line 33, strike "(e)" and insert "**(f)**".
- 20       Page 5, line 33, strike "(d)," and insert "**(e),**".
- 21       Page 5, line 37, strike "(f)" and insert "**(g)**".

- 1 Page 5, line 38, strike "(c)" and insert "(d)".
- 2 Page 5, after line 41, begin a new paragraph and insert:
- 3 "SECTION 7. [EFFECTIVE JULY 1, 2014] (a) As used in this
- 4 SECTION, "commission" refers to the commission on courts
- 5 established by IC 33-23-10-1.
- 6 (b) The general assembly urges the legislative council to assign
- 7 to the commission or another appropriate study committee the task
- 8 of studying:
- 9 (1) small claims court administration;
- 10 (2) the jurisdictional amount in small claims actions; and
- 11 (3) venue and the distribution of judicial resources in small
- 12 claims actions.
- 13 (c) If the commission or another appropriate committee is
- 14 assigned the topic described in subsection (b), the commission or
- 15 committee shall issue to the legislative council a final report
- 16 containing the commission's or committee's findings and
- 17 recommendations, including any recommended legislation
- 18 concerning the topic, in an electronic format under IC 5-14-6 not
- 19 later than November 1, 2014.
- 20 (d) This SECTION expires January 1, 2015".
- (Reference is to SB 366 as introduced.)

**and when so amended that said bill do pass.**

Committee Vote: Yeas 5, Nays 4.

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Steele

Chairperson